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November 22, 2016

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

RE: Notice of Ex Parte Communication, WC Docket Nos. 10-90,  
14-58 and 14-259

Dear Secretary Dortch:

On November 18, 2016, the undersigned, along with Jeffrey S. Nordhaus, Executive Vice President, Innovation & Broadband, Empire State Development, and Charles Small, Associate Director of Federal Affairs of the Washington D.C. Office of Governor Andrew Cuomo of New York, met with Travis Litman, Commissioner Jessica Rosenworcel's legal advisor, to discuss New York's pending Petition for Expedited Waiver in the above-referenced proceedings.

During the call, Mr. Nordhaus stated that conducting two separate auctions for the same territories would greatly complicate the deployment of broadband infrastructure in rural New York communities. Mr. Nordhaus maintained that grant of the Petition would resolve these complications by implementing a simple process through which carriers in New York would receive funding directly from the Connect America Fund in coordination with the State's broadband program. Mr. Small noted that grant of the waiver is not controversial as it has received strong bipartisan support and widespread backing from New York carriers (including Verizon), as well as other states. Finally, I noted that Commission action on the Petition is urgent because New York must launch its upcoming broadband auction in the very near future.

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Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/

John M. Beahn

*Counsel to Empire State Development*

cc: Travis Litman